

Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1628, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 12, delete "major component".
- 2 Page 1, line 13, delete "fraud, attempted fraud," and insert "**auto**
- 3 **theft, receiving stolen property, dealing in altered property, or**
- 4 **receiving stolen auto parts**,".
- 5 Page 1, line 14, delete "fraud" and insert "**theft, auto theft,**
- 6 **receiving stolen property, dealing in altered property, or receiving**
- 7 **stolen auto parts**".
- 8 Page 2, line 1, after "operates" insert "**a chop shop**".
- 9 Page 2, line 2, delete "major component".
- 10 Page 2, line 2, after "part" insert "**of a motor vehicle**".
- 11 Page 2, line 2, after "to" insert "**a chop shop knowing the building,**
- 12 **structure, or premises is a chop shop**".
- 13 Page 2, line 3, delete "major component".
- 14 Page 2, line 3, after "part" insert "**of a motor vehicle**".
- 15 Page 2, line 3, after "from" insert "**a chop shop knowing the**

- 1 **vehicle or part is from a chop shop".**
- 2 Page 2, line 4, delete "major component".
- 3 Page 2, line 4, after "part" insert **"of a motor vehicle"**.
- 4 Page 2, line 4, after "to" insert **"a chop shop knowing the buyer is**
- 5 **a chop shop"**.
- 6 Page 2, line 5, delete "major component".
- 7 Page 2, line 5, after "part" insert **"of a motor vehicle"**.
- 8 Page 2, line 5, after "from" insert **"a chop shop knowing the seller**
- 9 **is a chop shop"**.
- 10 Page 2, line 6, delete "a chop shop".
- 11 Page 5, between lines 35 and 36, begin a new line blocked left and
- 12 insert:
- 13 **"Property is not subject to seizure under this section unless it can**
- 14 **be proven by a preponderance of the evidence that the owner of the**
- 15 **property knowingly permitted the property to be used in the**
- 16 **operation of a chop shop."**
- 17 Page 6, after line 24, begin a new paragraph and insert:
- 18 "SECTION 8. IC 35-45-6-1, AS AMENDED BY P.L.123-2002,
- 19 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2003]: Sec. 1. As used in this chapter:
- 21 "Documentary material" means any document, drawing, photograph,
- 22 recording, or other tangible item containing compiled data from which
- 23 information can be either obtained or translated into a usable form.
- 24 "Enterprise" means:
- 25 (1) a sole proprietorship, corporation, limited liability company,
- 26 partnership, business trust, or governmental entity; or
- 27 (2) a union, an association, or a group, whether a legal entity or
- 28 merely associated in fact.
- 29 "Pattern of racketeering activity" means engaging in at least two (2)
- 30 incidents of racketeering activity that have the same or similar intent,
- 31 result, accomplice, victim, or method of commission, or that are
- 32 otherwise interrelated by distinguishing characteristics that are not
- 33 isolated incidents. However, the incidents are a pattern of racketeering
- 34 activity only if at least one (1) of the incidents occurred after August
- 35 31, 1980, and if the last of the incidents occurred within five (5) years
- 36 after a prior incident of racketeering activity.
- 37 "Racketeering activity" means to commit, to attempt to commit, to
- 38 conspire to commit a violation of, or aiding and abetting in a violation

- 1 of any of the following:
- 2 (1) A provision of IC 23-2-1, or of a rule or order issued under
- 3 IC 23-2-1.
- 4 (2) A violation of IC 35-45-9.
- 5 (3) A violation of IC 35-47.
- 6 (4) A violation of IC 35-49-3.
- 7 (5) Murder (IC 35-42-1-1).
- 8 (6) Battery as a Class C felony (IC 35-42-2-1).
- 9 (7) Kidnapping (IC 35-42-3-2).
- 10 (8) Child exploitation (IC 35-42-4-4).
- 11 (9) Robbery (IC 35-42-5-1).
- 12 (10) Carjacking (IC 35-42-5-2).
- 13 (11) Arson (IC 35-43-1-1).
- 14 (12) Burglary (IC 35-43-2-1).
- 15 (13) Theft (IC 35-43-4-2).
- 16 (14) Receiving stolen property (IC 35-43-4-2).
- 17 (15) Forgery (IC 35-43-5-2).
- 18 (16) Fraud (IC 35-43-5-4(1) through IC 35-43-5-4(9)).
- 19 (17) Bribery (IC 35-44-1-1).
- 20 (18) Official misconduct (IC 35-44-1-2).
- 21 (19) Conflict of interest (IC 35-44-1-3).
- 22 (20) Perjury (IC 35-44-2-1).
- 23 (21) Obstruction of justice (IC 35-44-3-4).
- 24 (22) Intimidation (IC 35-45-2-1).
- 25 (23) Promoting prostitution (IC 35-45-4-4).
- 26 (24) Promoting professional gambling (IC 35-45-5-4).
- 27 (25) Dealing in or manufacturing cocaine, a narcotic drug, or
- 28 methamphetamine (IC 35-48-4-1).
- 29 (26) Dealing in a schedule I, II, or III controlled substance
- 30 (IC 35-48-4-2).
- 31 (27) Dealing in a schedule IV controlled substance
- 32 (IC 35-48-4-3).
- 33 (28) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- 34 (29) Dealing in marijuana, hash oil, or hashish (IC 35-48-4-10).
- 35 (30) Money laundering (IC 35-45-15-5).
- 36 (31) A violation of IC 35-47.5-5.
- 37 **(32) A violation of IC 9-18-8-10.5.**
- 38 **(33) A violation of IC 9-18-8-12.**

1 **(34) A violation of IC 9-18-8-13.**

2 **(35) A violation of IC 9-18-8-14.**

3 **(36) A violation of IC 9-18-8-15.**

4 SECTION 9. [EFFECTIVE JULY 1, 2003] **IC 35-45-6-1, as**
 5 **amended by this act, applies only to an offense committed under**
 6 **IC 35-45-6-2 after June 30, 2003."**

(Reference is to HB 1628 as introduced.)

and when so amended that said bill do pass.

Representative Weinzapfel